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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/816,777	04/02/2004	Paul A. Vaughan	85689.17

24347  
HUNTON & WILLIAMS LLP  
1601 BRYAN STREET  
ENERGY PLAZA - 30TH FLOOR  
DALLAS, TX 75201

CONFIRMATION NO. 2775

## FORMALITIES LETTER



\*OC000000013003654\*

Date Mailed: 06/21/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

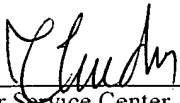
- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

08/17/2004 MAHME1 00000054 233189 10816777

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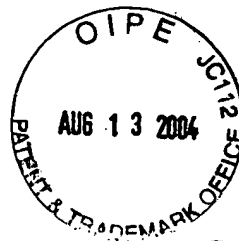
*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "C. L. Smith", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

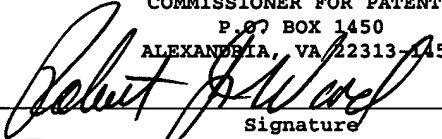


ATTORNEY DOCKET NUMBER 85689.17  
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RESPONSE TO NOTICE  
Serial No. 10/816,777

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Express Mail Certificate Under 37 C.F.R. § 1.10</b>	
<b>EXPRESS MAIL" MAILING LABEL NUMBER:EV 315026855 US</b>	
<b>DATE:</b>	<b>August 13, 2004</b>
<p>I, Robert J. Ward, hereby certify that this paper (along with any paper and fees referred to as being attached or enclosed or actually enclosed) is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above, with sufficient postage, and is addressed as follows:</p>	
<p>MAIL STOP MISSING PARTS COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450</p>	
<p> Signature</p>	

In re Application of: Paul A. Vaughan

Serial No.: 10/816,777

Filing Date: April 2, 2004

Group Art Unit: 3732

Examiner: Not Assigned

For: **Vertebral Stabilization Assembly and Method**

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P.O. Box 1450  
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**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED**

Sir:

Responsive to the Notice to File Missing Parts of  
Nonprovisional Application - Filing Date Granted dated June 21,  
2004, and having a period for response expiring August 21, 2004,

ATTORNEY DOCKET NUMBER 85689.17  
Customer No. 24347

RESPONSE TO NOTICE  
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(hereinafter "Notice"), Applicant hereby timely files the following:

1. Postcard acknowledgement of receipt of papers by the Patent Office;
2. executed Declaration and Power of Attorney (3 pgs.); and
3. A copy of the Notice.

Please stamp and return the enclosed postcard.

The Commissioner is hereby authorized to charge a total of \$65.00 to Deposit Account No. 23-3189 of Hunton & William LLP (Dallas) and reference Attorney Docket No. 85689.17 for the late oath or declaration surcharge under 37 CFR 1.16(e) for a small entity.

To the extent that any further fees, whatsoever, are required, the Commissioner is hereby authorized to charge payment of any additional fees, including any under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to Deposit Account No. 23-3189 of Hunton & Williams LLP (Dallas).

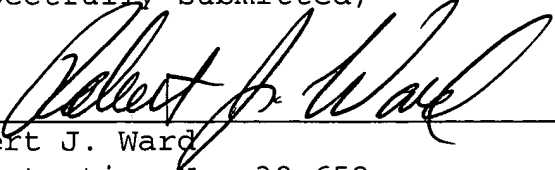
ATTORNEY DOCKET NUMBER 85689.17  
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RESPONSE TO NOTICE  
Serial No. 10/816,777

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**Please direct all correspondence to the practitioner listed  
below at Customer No. 24347.**

Respectfully submitted,

  
Robert J. Ward  
Registration No. 38,652

Hunton & Williams LLP  
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ATTORNEY FOR APPLICANT

August 13, 2004